IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No.13671 of 1999

Between:

M/s. Sree Padmalaya Chit Fund Private Limited,

A Company incorporated under the Companies Act, 1956,

Having its registered office at 6-2-969/D/5,

Khairtabad, Hydeabad,

Rep. by its Director Smt. M. Satyavathi.

..... PETITIONER

AND

1 The Consumer Disputes Redressal Forum
Hyderabad District, Hyderabad.

2 V. Brahmananda Rao S/o. not known
R/o. MIG-1745, Nalagandla Village, BHEL,

Ramachandrapuram, Hyderabad.

3 The Union of India Rep. by its Secretary,
Ministry of Consumer Forums, Ministry of Civil Supplies,

Government of India, New Delhi.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or direction or Writ under Article 226 of the Constitution of India, more particularly one in the nature of writ of Mandamus: (a) declaring the Section 27 of the Consumer Protection Act, 1986 (Act 68 of 1986) as
un-constitutional, arbitrary and violative of Article 14 and 21 of the Constitution of India and struck down the same' and (b) to call for the records relating to the proceedings in I.A. No.32 of 1997 in O.P. No.176 of 1995 dated 10-9-1997 passed by the first respondent and set-a-side the same as illegal and without jurisdiction.

Counsel for the Petitioner: MR.C.DAMODHAR REDDY

Counsel for Respondent No.1: G.P. for Cooperation.

Counsel for Respondent No.2:

Counsel for Respondent No.3: Mr. A. Rajasekhara Reddy Sr. S.C. for C.G.

The Court made the following :

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ORDER: (Per Hon'ble Sri Justice B. Sudershan Reddy)

The subject matter that arises for consideration in this Writ Petition is squarely covered by the decision rendered by a Full Bench of this Court in ***C.V. Ratnam v. Union of India & Others***.

Following the decision of the Full Bench, this writ petition is required to be dismissed and the same shall accordingly stand dismissed without any order as to costs.

However, the petitioner shall have the advantage of the observations made in the judgment and the remedy to prefer appeal against the decision of the District Forum is left open.

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B. SUDERSHAN REDDY, J

Date:01-11-2004.

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K.C. BHANU, J

PV

To

1 The Chairman, Consumer Disputes Redressal Forum,
Hyderabad District, Hyderabad.

2 The Secretary, Union of India,
Ministry of Consumer Forums, Ministry of Civil Supplies,

Government of India, New Delhi.

3. Two C.Cs. to G.P. for Cooperation,

High Court of A.P., Hyderabad.

4. Two C.D. copies.